Calendar No. 332

100TH CONGRESS
1st Session

SENATE

REPORT
100-171

CHANGING THE TITLE OF EMPLOYEES DESIGNATED BY THE LIBRARIAN OF CONGRESS FOR POLICE DUTY AND TO MAKE THE RANK STRUCTURE AND PAY FOR SUCH EMPLOYEES THE SAME AS THE RANK STRUCTURE AND PAY FOR THE CAPITOL POLICE

SEPTEMBER 24 (legislative day, SEPTEMBER 22), 1987.—Ordered to be printed

---

Mr. FORD, from the Committee on Rules and Administration, submitted the following

REPORT

[To accompany H.R. 2249]

The Committee on Rules and Administration, to which was referred the bill (H.R. 2249) to change the title of employees designated by the Librarian of Congress for police duty and to make the rank structure and pay for such employees the same as the rank structure and pay for the Capitol Police, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

BACKGROUND AND PURPOSE OF THE BILL

H.R. 2249 passed on House on July 21, and was referred to this Committee on July 22, 1987. S. 1490, a companion bill, was introduced by Senator Sarbanes, for himself, and Senators Simon, Mikulski, Adams, Inouye, Burdick, Boren, Pell, and Stafford on July 14, 1987.

Because H.R. 2249 had already been approved by the House, in order to expedite final action on this measure by Congress, and following the customary comity in such cases, the Committee acted on H.R. 2249 and ordered it favorably reported without amendment. A statement submitted by Senator Sarbanes in support of S. 1490 is applicable to H.R. 2249 and is set forth here as a useful explanation of the bill's purpose.

> Mr. SARBANES. On July 14, 1987 I introduced S. 1490, a bill to provide salary increases to members of the police force of the Library of Congress. I want to thank Chairman Ford and the Ranking Minority member, Senator Stevens, and the other members of this committee for such

S683-8

prompt action on this important legislation. The Library of Congress police force has unique responsibilities as protective officers. As a full service police force it provides protection for the world's largest library used by scholars from countries throughout the world. Although the Library's primary mission is to serve the Congress, its collections—rare books and manuscripts, periodicals old and recent, motion pictures and films, prints, photographs, and copyright records—have been opened to the public since 1830. The police at the Library of Congress provide the high quality protective services necessary to facilitate the Library's operational and public concerns, and a fair and equitable pay increase, I believe, is long overdue.

As you know, on Capitol Hill, we have the U.S. Capitol Police, the Supreme Court Police and the Library of Congress Police. The salaries paid to the LOC police are considerably lower than the other two police forces and in many instances their duties are similar. In recent years, the LOC salaries have been capped while the other Capitol Hill police forces have continued to receive increases. The beginning salary for the LOC police force is $18,358 and capped at $20,803 while the Capitol and Supreme Court police salaries begin at $24,929. The LOC police force salary is set by statute and, with readjustments by Congress in 1968 and 1973, has traditionally been set at the same rate as the Capitol and Supreme Court police. For better than 12 years members of the LOC police force have not received salary increases.

S. 1490 is designed to correct this inequity permanently by eliminating the need for amending the statutes to increase the salary of Library of Congress police. This legislation will give the Librarian of Congress the authority to designate certain employees of the LOC as police and recommend salary increases comparable to the structure and pay of the Capitol and Supreme Court police, and it is my hope that the distinguished members of this committee will report S. 1490 favorably.

The former Librarian of Congress, Daniel J. Boorstin, and the present Librarian, James H. Billington, have each submitted statements in support of H.R. 2249, and are set forth below:

THE LIBRARIAN OF CONGRESS,
Washington, DC, July 24, 1987.

Hon. WENDELL FORD,
Chairman, Committee on Rules and Administration,
U.S. Senate, Washington, DC.

DEAR SENATOR FORD: On July 21, the House of Representatives approved H.R. 2249, a bill to designate certain employees of the Library of Congress as police, and for other purposes. This legislation as approved by the House, provides for full pay parity of Library of Congress police with that of the U.S. Capitol police beginning September 30, 1990. This would be implemented in four approximately equal annual increments.

Salary schedules for Library of Congress police have been set by law since 1968. A 1973 amendment provided that the Library of Congress special police would be compensated at the following rates of pay: Privates, GS–7, steps 1–5; Sergeants, GS–8, steps 1–5; Lieutenants, GS–10, steps 1–5; and Captain, GS–11, steps 1–7. At the time this legislation was enacted, it gave Library of Congress police a pay rate close to that paid to the U.S. Capitol police.

Since that time, inequities have been created because of the cap on the grade and the fact that the Library of Congress police force—greatly expanded with the occupancy of the Madison Building—has become more professionally devloped. A 1981 Office of Personnel Management study of Federal police and guard occupations found the job requirements for Supreme Court police, U.S. Capitol police and Library of Congress Police similar, except for motorpool and traffic duties for some U.S. Capitol police. The Supreme Court police have traditionally been paid at the rate paid to U.S. Capitol police.

There is, we believe, inequity under the present pay structure among Library of Congress police themselves. Under the current pay system, we pay night differential and Sunday premium pay. (The Supreme Court and U.S. Capitol police do not receive this pay.) Because most of our officers work on fairly fixed assignments, we have a situation in which some Library police officers may be paid as much or more than comparable Supreme Court and U.S. Capitol police while others are paid less. Further, the higher pay goes to Library of Congress police officers whose job environment is the least stressful, i.e., those who work from 10:00 p.m. to 6:00 a.m.

H.R. 2249, as passed by the House would make for a more equitable pay system. It would provide for the following:

(1) Library of Congress police to be compensated at the same rate of pay as U.S. Capitol police as of September 30, 1990. We envision that there would only be four ranks in the Library's police force—Private with training, Seargeant, Lieutenant, and Captain;

(2) Night differential and Sunday premium pay to be eliminated;

(3) A technical amendment would provide that those privates whose salaries (because of night differential and Sunday premium pay) for the last six months would be more than the 1987 salary provided for in H.R. 2249 be adjusted so as not to cause a decrease in salary. This is necessary because of the House proposal to effect pay parity in four annual increments;

(4) The Library of Congress would have authority to pay overtime when necessary;

(5) New officers entering into the Library of Congress police force would begin at step 1 of the pay scale for all ranks; and

(6) Library of Congress special police would be redesignated as Library of Congress police to reflect more accurately the duties of the Library of Congress police force and to conform with the District of Columbia Code.

We urge that the Committee on Rules and Administration give favorable attention to this legislation during this session of Con-

gress. My colleagues and I would be happy to provide additional information to your Committee.

Sincerely,

DANIEL J. BOORSTIN,
The Librarian of Congress.

STATEMENT OF JAMES H. BILLINGTON, THE LIBRARIAN OF CONGRESS

Mr. Chairman and Members of the Committee: I appear here today, as you know, for the first time as Librarian of Congress. I would be remiss not to take this opportunity to thank the Senators on your Committee and your staff for the many courtesies you extended to me during the confirmation process. I look forward to a long association with this distinguished Committee.

The bills before you, S. 1490 and H.R. 2249, provide for pay parity for Library of Congress Police with that of the U.S. Capitol Police and the U.S. Supreme Court Police. The Library of Congress has for the past several years supported pay parity for Library of Congress Police with U.S. Capitol and Supreme Court Police.

Salary schedules for Library of Congress Police have been set by law since 1968. The last adjustment of pay for Library of Congress Police other than cost of living increases was in 1973. At the time the 1973 amendment was enacted, it gave Library of Congress Police a pay rate close to that paid to the U.S. Capitol and Supreme Court Police. Since then, the pay gap has increased and inequities have been created at the same time the Library of Congress Police responsibilities were greatly expanded with the occupancy of the Madison Building.

I have reviewed Dr. Boorstin's letter of July 24 to this Committee and I concur in its recommendations.

As I understand it, H.R. 2249 and S. 1490 provide for full partity at the end of four years, to be implemented in four approximately equal annual increments. I urge that your Committee give favorable attention to this legislation.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

In compliance with Senate Standing Rule XXVI, paragraph 11, the following cost estimate prepared by the Congressional Budget Office for the Chairman of the House Committee on House Administration, and included in House Report 100-214, is set forth below:

U.S. CONGRESS
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 1, 1987.

Hon. FRANK ANNUNZIO,
Chairman, Committee on House Administration,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 2249, as ordered reported by the House Committee on House Administration on June 24,

1987. The bill would equate the rank structure and pay of the Library of Congress police with the rank structure and pay of the Capitol Police by September 30, 1990.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

ROBERT F. HALE
(For Edward M. Gramlich, Acting Director).

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 2249.

2. Bill title: None.

3. Bill status: As ordered reported by the House Committee on House Administration on June 24, 1987.

4. Bill purpose: The purpose of this bill is to equate the rank structure and pay of the Library of Congress police with the rank structure and pay of the Capitol Police by September 30, 1990. This bill is subject to subsequent appropriations action.

5. Estimated cost of the Federal Government:

[By fiscal year, in millions of dollars]

	1988	1989	1990	1991	1992
Estimated authorization level	.1	.2	.2	.3	.4
Estimated outlays	.1	.2	.2	.3	.4

The costs of this bill fall within function 500.

Basic of estimate: H.R. 2249 would increase the pay of the Library of Congress police in four equal annual increments begining with the first full pay period after September 30, 1987, until parity with the pay of the Capitol Police is achieved. This cost estimate is based on figures from the Library of Congress staff, inflated for pay increases consistent with CBO baseline projections in the outyears. We assume outlays occur in the same year that funds are obligated.

6. Estimated cost of State and local government: The Congressional Budget Office has determined that the budgets of state and local governments would not be affected by the enactment of this resolution.

7. Estimate comparison: None.

8. Previous CBO estimate: On April 22, 1987, CBO estimated the cost of several options for phasing in the implementation of equating the pay of the Library of Congress police with the pay of the Capitol Police. The current estimate represents no change from the original estimate for fully phasing in the higher pay scale by October 1, 1990.

9. Estimate prepared by: Ken Pott.

10. Estimate approved by: Charles E. Seagrave (for James L. Blum, Assistant Director for Budget Analysis).

The Committee finds that the bill, as reported, would have no regulatory impact

CHANGES IN EXISTING LAW MADE BY THE BILL

In compliance with Senate Standing Rule XXVI, paragraph 12, the changes made in existing law by bill, as reported, and as set forth in House Report 100-214, are incorporated herein and set forth below:

ACT OF AUGUST 4, 1950

AN ACT Relating to the policing of the buildings and grounds of the Library of Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That (a) The Librarian of Congress may designate employees of the Library of Congress as special policemen for duty in connection with policing of the Library of Congress buildings and grounds and adjacent streets and shall fix their rates of basic pay as follows:

[(1) Private GS-7—step one through five;

[(2) Sergeant GS-8—step one through five;

[(3) Lieutenant GS-9—step one through five;

[(4) Senior Lieutenant GS-10—step one through five; and

[(5) Captain GS-11—step one through seven.

[(b) The Librarian of Congress may apply the provisions of subchapter V of chapter 55 of title 5, United States Code, to members of the special police force of the Library of Congress.]

That the Librarian of Congress may designate employees of the Library of Congress as police for duty with respect to the Library of Congress buildings and adjacent streets. The rank structure and pay for employees so designated shall be the same as the rank structure and pay for the Capitol Police.

* * * * * * *

SEC. 9. The [special] police provided for in section 1 of this Act shall have the power, within the Library of Congress buildings and grounds and adjacent streets, to enforce and make arrests for violations of any provision of section 2 to 6, inclusive, of this Act, of any regulation prescribed under section 7 of this Act, or of any law of the United States, any law of the District of Columbia, of of any State, or any regulation promulgated pursuant thereto: *Provided,* That the Metropolitan Police force of the District of Columbia are hereby authorized to make arrests within the Library of Congress buildings and grounds for any violations of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Librarian of Congress of his assistants, to enter the Library of Congress buildings to amke arrests in response to complaints or to serve warrants or to patrol the Library of Congress buildings or grounds.

* * * * * * *

SECTION 5102 OF TITLE 5, UNITED STATES CODE

§ 5102. Definitions; application

(a) * * *

* * * * * * *

(c) This chapter does not apply to—

(1) * * *

* * * * * * *

(27) members of the [special police force] *police* of the Library of Congress whose pay is fixed under section 167 of title 2; or

○